

## FEEDS AND GRAINS

**8720. Adulteration and misbranding of meat and bone scraps. U. S. v. Robert W. Schaefer (Schaefer Feed Co.).** Plea of guilty. Fine, \$600. (F. D. C. No. 14269. Sample Nos. 6340-F, 67347-F.)

**INFORMATION FILED:** April 3, 1945, Eastern District of Illinois, against Robert W. Schaefer, trading as the Schaefer Feed Co., East St. Louis, Ill.

**ALLEGED SHIPMENT:** On or about November 23, 1943, and January 10, 1944, from the State of Illinois into the States of Ohio and Missouri.

**LABEL, IN PART:** (Tags) "Gro-Mor Brand Meat and Bone Scraps."

**NATURE OF CHARGE:** Adulteration, Section 402 (b) (2), a product containing soy bean oil meal, a portion of which contained less than 50 percent of protein, had been substituted in whole or in part for meat and bone scraps containing 50 percent of protein, which the article purported and was represented to be.

Misbranding, Section 403 (a), the statements, "Meat and Bone Scraps 50% \* \* \* Ingredients Meat and Bone Scraps," and (portion) "protein (not less than) 50.00%," borne on the tags, were false and misleading since they represented and suggested that the product consisted entirely of meat and bone scraps and that it contained 50 percent of protein, whereas it consisted in part of soy bean oil meal, and a portion contained not over 46.44 percent of protein.

**DISPOSITION:** June 26, 1945. The defendant entered a plea of guilty, and the court imposed a fine of \$150 on each of 4 counts, a total fine of \$600, plus costs.

**8721. Misbranding of bone meal. U. S. v. Riverdale Products Co. Plea of guilty.** Fine, \$75. (F. D. C. No. 12586. Sample Nos. 47330-F, 47368-F, 48172-F.)

**INFORMATION FILED:** December 1, 1944, Northern District of Illinois, against the Riverdale Products Co., a corporation, Chicago, Ill.

**ALLEGED SHIPMENT:** Between the approximate dates of September 22 and December 15, 1943, from the State of Illinois into the State of Tennessee.

**LABEL, IN PART:** "Chapman's Feeding Special Odorless Steamed Bone Meal."

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (1), the product contained an added poisonous and deleterious substance, fluorine, which might have rendered it injurious to health; and, Section 402 (b) (2), a mixture of phosphate rock and bone meal had been substituted for bone meal.

Misbranding, Section 403 (a), the name of the food, "Bone Meal," borne on the label, was false and misleading since the product consisted of a mixture of phosphate rock and bone meal; and, Section 403 (i) (2), it was fabricated from two or more ingredients, and its label failed to bear the common or usual name of each ingredient.

**DISPOSITION:** February 21, 1945. A plea of guilty having been entered on behalf of the defendant, a fine of \$75 was imposed.

**8722. Misbranding of Singer's Earth Crust Minerals. U. S. v. 20 Bags of Singer's Earth Crust Minerals, and a number of circulars. Default decree of forfeiture and destruction.** (F. D. C. No. 12345. Sample No. 8446-F.)

**LIBEL FILED:** May 13, 1944, Western District of Wisconsin.

**ALLEGED SHIPMENT:** On or about November 12, 1943, from Barrington, Ill., by the Chain of Lakes Duck Farm (E. Albert Singer).

**PRODUCT:** 20 100-pound bags of the above-named product and a number of circulars entitled "Singer's Earth Crust Minerals," at Bangor, Wis. Analysis of a sample showed that the article consisted essentially of clay or soil, calcium carbonate, a compound of phosphorus, and salt, including 13.4 percent calcium calculated as the metal, 1.3 percent phosphorus calculated as the element, and 12.6 percent salt. The label mentioned phosphorus and calcium, but it did not reveal the names of the compounds of these elements contained in the article.

**NATURE OF CHARGE:** Misbranding, Section 403 (a), the statements on the label of the article and in the accompanying circulars were false and misleading since they represented and suggested that the article would be effective in keeping livestock and poultry healthy, and in removing any species of worms from the intestines of livestock and poultry; that it would prevent poor digestion, loss of appetite, a run-down condition, and diseases in general; that it would lower mortality; that it would prevent the disease condition of poultry known as range paralysis; and that its use would save feeding costs; whereas

the article, while it might furnish small amounts of certain food minerals, would not be effective for the purposes claimed.

Further misbranding, Section 403 (1) (2), the label of the article failed to bear the common or usual name of each ingredient.

The article was also alleged to be misbranded under the provisions of the law applicable to drugs, as reported in notices of judgment on drugs and devices, No. 1400.

**DISPOSITION:** February 17, 1945. No claimant having appeared, judgment of forfeiture was entered and the product, together with the circulars, was ordered destroyed.

### FISH AND SHELLFISH

**8723. Adulteration of crab meat. U. S. v. 4 Cases and 13 Cases of Crab Meat. Default decree of condemnation and destruction. (F. D. C. No. 15250. Sample Nos. 17903-H, 17904-H.)**

**LIBEL FILED:** March 2, 1945, Northern District of Illinois.

**ALLEGED SHIPMENT:** On November 29, 1944, by the Crescent Seafood Sales Co., Inc., from Westwego, La.

**PRODUCT:** 4 cases and 13 cases, each containing 24 6½-ounce cans, of crabmeat at Chicago, Ill.

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a decomposed substance.

**DISPOSITION:** May 16, 1945. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

**8724. Adulteration of frozen herring. U. S. v. 47 Boxes of Frozen Herring. Default decree of condemnation and destruction. (F. D. C. No. 15222. Sample No. 17817-H.)**

**LIBEL FILED:** February 7, 1945, Eastern District of Wisconsin.

**ALLEGED SHIPMENT:** On or about January 15, 1945, by the Shapiro Fisheries, from Chicago, Ill.

**PRODUCT:** 47 125-pound boxes of frozen herring at De Pere, Wis.

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a decomposed substance.

**DISPOSITION:** March 20, 1945. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

**8725. Adulteration of frozen herring. U. S. v. 7 Boxes of Frozen Herring. Consent decree of condemnation. Product ordered released under bond. (F. D. C. No. 15203. Sample No. 17815-H.)**

**LIBEL FILED:** On or about February 8, 1945, Northern District of Illinois.

**ALLEGED SHIPMENT:** On or about January 22, 1945, by the Midwest Fish Co., from Green Bay, Wis.

**PRODUCT:** 7 boxes, containing a total of 1,000 pounds, of frozen herring at Chicago, Ill.

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a decomposed substance.

**DISPOSITION:** March 23, 1945. The Shapiro Fisheries, Chicago, Ill., claimant, having admitted the facts in the libel, judgment of condemnation was entered and the product was ordered released under bond to be disposed of in compliance with the law, under the supervision of the Food and Drug Administration.

**8726. Adulteration of frozen herring. U. S. v. 120 Boxes of Frozen Herring. Consent decree of condemnation. Product ordered released under bond. (F. D. C. Nos. 15385, 15386. Sample Nos. 17818-H, 17819-H.)**

**LIBEL FILED:** On or about February 23, 1945, Northern District of Illinois.

**ALLEGED SHIPMENT:** On or about November 24, 1943, by the Fleith Ehler Mercantile Co., from Ashland, Wis.

**PRODUCT:** 4 boxes and 116 boxes, each containing 125 pounds, of frozen herring at Chicago, Ill.